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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

JOHN ARMSTRONG, et al.,  
  
Plaintiffs,  
  
v.  
  
GAVIN NEWSOM, et al.,  
  
Defendants.

Case No. C94 2307 CW

~~PROPOSED~~ STIPULATED ORDER  
CONFIRMING UNDISPUTED  
ATTORNEYS' FEES AND COSTS  
FOR THE SECOND QUARTER OF  
2019

Judge: Hon. Claudia Wilken

Case No. C94 2307 CW

~~PROPOSED~~ STIPULATED ORDER CONFIRMING UNDISPUTED ATTORNEYS' FEES AND COSTS FOR THE  
SECOND QUARTER 2019

1 On March 26, 1997, the District Court established procedures by which Plaintiffs  
2 are to collect periodic attorneys' fees and costs in this case in connection with their work  
3 monitoring Defendants' compliance with the Court's Orders and collecting fees.

4 Pursuant to these procedures, on July 16, 2019, Plaintiffs served on Defendants  
5 their Second Quarterly Statement for 2019 by overnight delivery. The parties completed  
6 their meet-and-confer process on August 22, 2019 as to the fees and costs incurred on all  
7 matters.

8 As a result of the August 22, 2019 agreement, the parties agree to the following:

9 The parties agree to the payment of \$1,710,419.38 to resolve all fees and costs  
10 incurred during the Second Quarter of 2019, for monitoring and/or litigation activities in  
11 the California Department of Corrections of Rehabilitation Division of Adult Operations  
12 and Adult Programs (CDCR AOAP) portion of the case. Attached hereto as **Exhibit A** are  
13 charts setting forth the fees and costs claimed by Plaintiffs and the amounts agreed to by  
14 the parties to settle these claims.

15 The parties agree to the payment of \$76,340.86 to resolve all fees and costs incurred  
16 during the Second Quarter of 2019, for monitoring and/or litigation activities in the Board  
17 of Parole Hearings (BPH) portion of the case. Attached hereto as **Exhibit B** are charts  
18 setting forth the fees and costs claimed by Plaintiffs and the amounts agreed to by the  
19 parties to settle these claims.

20 The parties agree to the payment of \$326,470.97 to resolve all fees and costs  
21 incurred during the Second Quarter of 2019, for monitoring and/or litigation activities in  
22 the Division of Adult Parole Operations (DAPO) portion of the case. Attached hereto as  
23 **Exhibit C** are charts setting forth the fees and costs claimed by Plaintiffs and the amounts  
24 agreed to by the parties to settle these claims.

25 The parties agree to the payment of \$14,655.27 to resolve all fees and costs incurred  
26 during the Second Quarter of 2019, for fees work. Attached hereto as **Exhibit D** are charts  
27 setting forth the fees and costs claimed by Plaintiffs and the amounts agreed to by the  
28 parties to settle these claims.

1 IT IS HEREBY ORDERED that the amounts set forth above are due and  
2 collectable as of forty-five days from the date of entry of this Order. Interest on these fees  
3 and costs will run from August 15, 2019, accruing at the rate provided by 28 U.S.C.  
4 § 1961.

5  
6 DATED: August 29, 2019

7 Claudia Wilken  
8 United States District Judge



9 APPROVED AS TO FORM:

10  
11 DATED: August 26, 2019

/s/Sharon Garske

12 Sharon Garske  
13 Deputy Attorney General  
14 Attorney for Defendants

15  
16 DATED: August 26, 2019

/s/Gay Crosthwait Grunfeld

17 Gay Crosthwait Grunfeld  
18 Rosen Bien Galvan & Grunfeld LLP  
19 Attorney for Plaintiffs  
20  
21  
22  
23  
24  
25  
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# **EXHIBIT A**

**Armstrong v. Brown**  
Second Quarterly Statement of 2019  
April 1, 2019 through June 30, 2019

**CDCR/AOAP SUMMARY OF UNDISPUTED FEES AND COSTS**

<b><u>MATTER</u></b>	<b><u>UNDISPUTED FEES</u></b>	<b><u>UNDISPUTED COSTS</u></b>
CDCR/AOAP MONITORING	\$1,658,875.09	\$51,544.30
	<b>TOTAL UNDISPUTED:</b>	<b>\$1,710,419.38</b>

**Armstrong v. Brown**

Second Quarterly Statement of 2019

April 1, 2019 through June 30, 2019

**Matter: CDCR/AOAP Monitoring/Merits**

<b><u>Monitoring (581-3)</u></b>	<b>Actual</b>	<b>Claimed</b>	<b>2019</b>		<b>Fees Now Owing</b>
	<b>Hours</b>	<b>Hours</b>	<b>Rates</b>	<b>Total</b>	<b>Per Negotiated Compromise</b>
<b><u>ROSEN, BIEN, GALVAN &amp; GRUNFELD</u></b>					
Michael W. Bien (MWB)	5.60	5.20	\$1,000	\$5,200.00	\$5,044.00
Gay C. Grunfeld (GCG)	33.20	32.70	\$860	\$28,122.00	\$27,278.34
Penny Godbold (PG)	217.90	216.60	\$700	\$151,620.00	\$147,071.40
Thomas Nolan (TN)	231.50	230.40	\$725	\$167,040.00	\$162,028.80
Michael L. Freedman (MLF)	161.50	143.30	\$610	\$87,413.00	\$84,790.61
Ben Bien-Kahn (BBK)	158.50	156.00	\$585	\$91,260.00	\$88,522.20
Jenny Yelin (JY)	42.30	39.90	\$540	\$21,546.00	\$20,899.62
Kara J. Janssen (KJJ)	0.70	0.00	\$540	\$0.00	\$0.00
Caroline E. Jackson (CEJ)	95.30	88.70	\$525	\$46,567.50	\$45,170.48
Michael S. Nunez (MSN)	1.50	0.00	\$525	\$0.00	\$0.00
Hugo D. Cabrera (HDC)	82.10	79.50	\$440	\$34,980.00	\$33,930.60
Marc Shinn-Krantz (MSK)	0.30	0.00	\$400	\$0.00	\$0.00
Karen Stilber (KES)	109.20	108.10	\$350	\$37,835.00	\$36,699.95
Linda Woo (LHW)	8.00	8.00	\$350	\$2,800.00	\$2,716.00
F. Gail LaPurja (FGL)	3.10	0.00	\$290	\$0.00	\$0.00
Greg Gonzalez (GZG)	49.60	48.30	\$290	\$14,007.00	\$13,586.79
Benjaïm Hattem (BH)	1.00	0.00	\$275	\$0.00	\$0.00
Fely F. Villadelgado (FFV)	0.60	0.00	\$275	\$0.00	\$0.00
Dylan Verner-Crist (DVC)	130.40	118.60	\$250	\$29,650.00	\$28,760.50
Marcus V. Levy (MVL)	2.70	0.00	\$250	\$0.00	\$0.00
Sarah J. Essner (SE)	9.20	9.20	\$250	\$2,300.00	\$2,231.00
Nathalie Welch (NW)	45.80	39.20	\$250	\$9,800.00	\$9,506.00
Hanna Wallace (HW)	132.50	127.10	\$250	\$31,775.00	\$30,821.75
Emma Cook (EC)	9.70	7.70	\$225	\$1,732.50	\$1,680.53
Jack Gleiberman (JG)	54.40	45.60	\$225	\$10,260.00	\$9,952.20
Ellinor Heywood (EH)	8.50	8.50	\$225	\$1,912.50	\$1,855.13
Michael Brier (MB)	120.00	117.50	\$225	\$26,437.50	\$25,644.38
<b>Total Hours:</b>	<b>1,715.10</b>	<b>1,630.10</b>		<b>\$802,258.00</b>	<b>\$778,190.26</b>
<b>RBGG FEES:</b>					
<b><u>PRISON LAW OFFICE</u></b>					
Donald Specter (DS)	8.40	8.40	\$995	\$8,358.00	\$8,107.26
Rita Lomio (RL)	361.00	361.00	\$625	\$225,625.00	\$218,856.25
Thomas Nosewicz (TMN)	143.10	143.10	\$600	\$85,860.00	\$83,284.20
Margot Mendelson (MM)	112.70	112.70	\$560	\$63,112.00	\$61,218.64
Shira Tevah (ST)	158.90	158.90	\$400	\$63,560.00	\$61,653.20
Camille Woods (CW)	109.80	109.80	\$350	\$38,430.00	\$37,277.10
Amber Norris (AN)	162.10	162.10	\$335	\$54,303.50	\$52,674.40
Megan Lynch (ML)	243.90	243.90	\$335	\$81,706.50	\$79,255.31
Tania Amarillas (TA)	301.50	301.50	\$300	\$90,450.00	\$87,736.50
Alayna O'Bryan	118.90	118.90	\$275	\$32,697.50	\$31,716.58
Alexis Hoffman (AH)	75.00	75.00	\$275	\$20,625.00	\$20,006.25
Andrea Fenster (AF)	23.90	23.90	\$275	\$6,572.50	\$6,375.33
Chelsea Rinnig (CR)	8.50	8.50	\$275	\$2,337.50	\$2,267.38
Christopher Johnson (CJ)	26.00	26.00	\$275	\$7,150.00	\$6,935.50
Elizabeth Crivaro (EC)	45.90	45.90	\$275	\$12,622.50	\$12,243.83
Skye Lovett (SL)	103.10	103.10	\$275	\$28,352.50	\$27,501.93
Gabby Sergi (GS)	80.20	80.20	\$275	\$22,055.00	\$21,393.35
Gabriela Pelsinger (GP)	85.10	85.10	\$275	\$23,402.50	\$22,700.43
Ilian Meza Pena (IP)	4.80	4.80	\$275	\$1,320.00	\$1,280.40
Juliette Mueller (JM)	134.90	134.90	\$275	\$37,097.50	\$35,984.58
Molly Rothschild (MR)	7.1	7.10	\$275	\$1,952.50	\$1,893.93
<b>Total Hours:</b>	<b>2,314.80</b>	<b>2,314.80</b>		<b>\$907,590.00</b>	<b>\$880,362.30</b>
<b>PLO FEES:</b>					
<b><u>DISABILITY RIGHTS EDUCATION AND DEFENSE FUND</u></b>					
Case Clerk	1.90	1.90	\$175	\$332.50	\$322.53
<b>Total Hours:</b>	<b>1.90</b>	<b>1.90</b>		<b>\$332.50</b>	<b>\$322.53</b>
<b>DREDF FEES:</b>					
<b>TOTAL CDCR/AOAP MONITORING FEES:</b>					
				<b>\$1,710,180.50</b>	<b>\$1,658,875.09</b>

**Armstrong v. Brown**

Second Quarterly Statement of 2019

April 1, 2019 through June 30, 2019

**Costs*****Matter: CDCR/AOAP Merits/Monitoring*****Costs Now Owing****Rosen, Bien, Galvan & Grunfeld (581-3)****Costs****Per Negotiated  
Compromise**

Photocopying (In house)	\$1,374.60	\$1,333.36
Photocopying/printing (Outside)	\$1,267.99	\$1,229.95
Translation/Interpreter Services	\$1,414.20	\$1,371.77
Online Research - PACER, Westlaw	\$165.28	\$160.32
Postage & Delivery	\$329.20	\$319.32
Telephone	\$19.30	\$18.72
Travel - Mileage, Tolls, Food	\$12,272.70	\$11,904.52
<b>Total RBGG Costs:</b>	<b>\$16,843.27</b>	<b>\$16,337.97</b>

**Prison Law Office**

Photocopying (In house)	\$1,475.00	\$1,430.75
Interpreting/Translation services	\$79.96	\$77.56
Interpreter services (SLI)	\$14,544.64	\$14,108.30
Travel - Mileage, Tolls, Food	\$18,053.23	\$17,511.63
Postage & Delivery	\$1,936.90	\$1,878.79
<b>Total PLO Costs:</b>	<b>\$36,089.73</b>	<b>\$35,007.04</b>

**Disability Rights Education & Defense Fund, Inc.**

Photocopying (in-house)	\$174.40	\$169.17
Postage & Delivery	\$31.05	\$30.12
<b>Total DREDF Costs:</b>	<b>\$205.45</b>	<b>\$199.29</b>

<b>TOTAL CDCR/AOAP MERITS/MONITORING COSTS:</b>	<b>\$53,138.45</b>	<b>\$51,544.30</b>
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# **EXHIBIT B**



**Armstrong v. Brown**

Second Quarterly Statement of 2019

April 1, 2019 through June 30, 2019

**BPH SUMMARY OF UNDISPUTED FEES AND COSTS**

<b><u>MATTER</u></b>	<b><u>UNDISPUTED FEES</u></b>	<b><u>UNDISPUTED COSTS</u></b>
BPH	\$75,425.75	\$915.12
	<b>TOTAL UNDISPUTED:</b>	<b>\$76,340.86</b>

**Armstrong v. Brown**

Second Quarterly Statement of 2019

April 1, 2019 through June 30, 2019

**Matter: BPH**

<b><u>BPH (581-4)</u></b>	<b>Actual</b>	<b>Claimed</b>	<b>2019</b>		<b>Fees Now Owing</b>
	<b><u>Hours</u></b>	<b><u>Hours</u></b>	<b><u>Rates</u></b>	<b><u>Total</u></b>	<b><u>Per Negotiated</u></b>
<b><u>BPH MONITORING (581-4)</u></b>					<b><u>Compromise</u></b>
<b><u>ROSEN, BIEN, GALVAN &amp; GRUNFELD</u></b>					
Michael W. Bien (MWB)	2.00	2.00	\$1,000	\$2,000.00	\$1,940.00
Ernest Galvan (EG)	0.50	0.00	\$800	\$0.00	\$0.00
Gay C. Grunfeld (GCG)	5.5	5.4	\$860	\$4,644.00	\$4,504.68
Thomas Nolan (TN)	44.80	44.80	\$725	\$32,480.00	\$31,505.60
Hugo D. Cabrera (HDC)	13.20	13.20	\$440	\$5,808.00	\$5,633.76
Karen Stilber (KES)	4.70	4.70	\$350	\$1,645.00	\$1,595.65
Dylan Verner-Crist (DVC)	2.20	0.00	\$250	\$0.00	\$0.00
<b>Total Hours:</b>	<b>72.90</b>	<b>70.10</b>			
<b>RBGG FEES:</b>				<b>\$46,577.00</b>	<b>\$45,179.69</b>
<b><u>PRISON LAW OFFICE</u></b>					
Donald Specter (DS)	0.3	0.3	\$995	\$298.50	\$289.55
Sara Norman (SN)	12.60	12.60	\$805	\$10,143.00	\$9,838.71
Rita Lomio (RL)	7.20	7.20	\$625	\$4,500.00	\$4,365.00
Rana Anabtawi (RA)	29.00	29.00	\$560	\$16,240.00	\$15,752.80
<b>Total Hours:</b>	<b>49.10</b>	<b>49.10</b>			
<b>PLO FEES:</b>				<b>\$31,181.50</b>	<b>\$30,246.06</b>
<b>TOTAL FEES FOR</b>					
<b>BPH WORK:</b>				<b>\$77,758.50</b>	<b>\$75,425.75</b>

**Armstrong v. Brown**

Second Quarterly Statement of 2019

April 1, 2019 through June 30, 2019

**Costs*****Matter: BPH*****Costs Now Owing****Rosen, Bien, Galvan & Grunfeld (581-4)****Costs****Per Negotiated  
Compromise**

Photocopying (In house)	\$160.20	\$155.39
Telephone	\$2.55	\$2.47
Travel - Mileage, Tolls, Food	\$487.61	\$472.98
<b>Total RBGG Costs:</b>	<b>\$650.36</b>	<b>\$630.85</b>

**Prison Law Office**

Travel - Mileage, Tolls, Food	\$293.06	\$284.27
<b>Total PLO Costs:</b>	<b>\$293.06</b>	<b>\$284.27</b>
<b>TOTAL BPH COSTS:</b>	<b>\$943.42</b>	<b>\$915.12</b>

# EXHIBIT C

**Armstrong v. Brown**  
Second Quarterly Statement of 2019  
April 1, 2019 through June 30, 2019

**DAPO SUMMARY OF UNDISPUTED FEES AND COSTS**

<b><u>MATTER</u></b>	<b><u>UNDISPUTED FEES</u></b>	<b><u>UNDISPUTED COST</u></b>
DAPO MONITORING	\$310,025.58	\$16,445.39
	<b>TOTAL UNDISPUTED:</b>	<b>\$326,470.97</b>

**Armstrong v. Brown**

Second Quarterly Statement of 2019

April 1, 2019 through June 30, 2019

**Matter: DAPO Monitoring**

<b><u>DAPO Monitoring (581-9)</u></b>	<b>Actual</b>	<b>Claimed</b>	<b>2019</b>		<b>Fees Now Owing</b>
	<b>Hours</b>	<b>Hours</b>	<b>Rates</b>	<b>Total</b>	<b>Per Negotiated Compromise</b>
<b><u>ROSEN, BIEN, GALVAN &amp; GRUNFELD</u></b>					
Michael W. Bien (MWB)	4.60	4.60	\$1,000	\$4,600.00	\$4,462.00
Gay C. Grunfeld (GCG)	43.90	43.80	\$860	\$37,668.00	\$36,537.96
Ernest Galvan (EG)	3.90	3.90	\$800	\$3,120.00	\$3,026.40
Penny Godbold (PG)	29.40	29.20	\$700	\$20,440.00	\$19,826.80
Thomas Nolan (TN)	26.00	26.00	\$725	\$18,850.00	\$18,284.50
Michael L. Freedman (MLF)	21.80	20.30	\$610	\$12,383.00	\$12,011.51
Benjamin Bien-Kahn (BBK)	49.50	48.70	\$585	\$28,489.50	\$27,634.82
Jenny S. Yelin (JSY)	67.30	64.80	\$540	\$34,992.00	\$33,942.24
Caroline E. Jackson	19.60	19.60	\$525	\$10,290.00	\$9,981.30
Hugo D. Cabrera (HDC)	196.80	193.10	\$440	\$84,964.00	\$82,415.08
Karen Stilber (KES)	53.00	52.00	\$350	\$18,200.00	\$17,654.00
F. Gail LaPurja (FGL)	0.60	0.00	\$290	\$0.00	\$0.00
Marcus V. Levy (MVL)	0.20	0.00	\$250	\$0.00	\$0.00
Fely Villadelgado (FFV)	2.30	0.00	\$275	\$0.00	\$0.00
Nathalie Welch (NCW)	204.70	175.00	\$250	\$43,750.00	\$42,437.50
Ellinor Heywood (EH)	12.00	8.30	\$225	\$1,867.50	\$1,811.48
<b>Total Hours:</b>	<b>735.60</b>	<b>689.30</b>		<b>\$319,614.00</b>	<b>\$310,025.58</b>
<b>RBGG FEES:</b>					
<b>TOTAL FOR DAPO MONITORING WORK:</b>				<b>\$319,614.00</b>	<b>\$310,025.58</b>

**Armstrong v. Brown**

Second Quarterly Statement of 2019

April 1, 2019 through June 30, 2019

**Costs*****Matter: DAPO Monitoring*****Rosen, Bien, Galvan & Grunfeld (581-9)**

	<b><u>Costs</u></b>	<b>Costs Now Owing <u>Per Negotiated Compromise</u></b>
Photocopying (in-house)	\$1,574.80	\$1,527.56
Photocopying (outside)	\$3,498.04	\$3,393.10
Document production database hosting/	\$384.25	\$372.72
Transcription / Video Depositions	\$6,155.00	\$5,970.35
Westlaw	\$113.39	\$109.99
Inhouse Postage	\$327.70	\$317.87
Long distance telephone charges	\$0.45	\$0.44
Travel - Mileage, Tolls, Food	\$5,284.63	\$4,753.37
<b>Total RBGG Costs:</b>	<b>\$16,954.01</b>	<b>\$16,445.39</b>
<b>TOTAL DAPO MONITORING COSTS:</b>	<b>\$16,954.01</b>	<b>\$16,445.39</b>

# **EXHIBIT D**



**Armstrong v. Brown**  
**Second Quarterly Statement of 2019**  
**April 1, 2019 through June 30, 2019**

**SUMMARY OF UNDISPUTED FEES WORK AND COSTS**

	<b><u>UNDISPUTED FEES</u></b>	<b><u>UNDISPUTED COSTS</u></b>
FEES WORK (ALL MATTERS)	\$14,454.46	\$200.82
<b>TOTAL UNDISPUTED:</b>		<b>\$14,655.27</b>

**Armstrong v. Brown**

Second Quarterly Statement of 2019

April 1, 2019 through June 30, 2019

***Matter: All Matters Fees Work***

<b><u>Fees (581-2)</u></b>	<b>Actual</b>	<b>Claimed</b>	<b>2019</b>		<b>Fees Now Owing</b>
	<b><u>Hours</u></b>	<b><u>Hours</u></b>	<b><u>Rates</u></b>	<b><u>Total</u></b>	<b><u>Per Negotiated</u></b>
					<b><u>Compromise</u></b>
<b><u>ROSEN, BIEN, GALVAN &amp; GRUNFELD</u></b>					
Gay C. Grunfeld (GCG)	7.10	6.50	\$860	\$5,590.00	\$5,422.30
Karen E. Stilber (KES)	16.10	15.70	\$350	\$5,495.00	\$5,330.15
<b>Total Hours:</b>	<b>23.20</b>	<b>22.20</b>			
<b>RBGG FEES:</b>				<b>\$11,085.00</b>	<b>\$10,752.45</b>
<b><u>PRISON LAW OFFICE</u></b>					
Rita Lomio	1.50	1.50	\$625	\$937.50	\$909.38
Margot Mendelson (MKM)	1.40	1.40	\$560	\$784.00	\$760.48
Ashley Kirby (AK)	6.70	6.70	\$210	\$1,407.00	\$1,364.79
<b>Total Hours:</b>	<b>9.60</b>	<b>9.60</b>			
<b>PLO FEES:</b>				<b>\$3,128.50</b>	<b>\$3,034.65</b>
<b><u>DISABILITY RIGHTS EDUCATION AND</u></b>					
<b><u>DEFENSE FUND</u></b>					
Linda Kilb (LDK)	0.80	0.80	\$860	\$688.00	\$667.36
<b>Total Hours:</b>	<b>0.80</b>	<b>0.80</b>			
<b>DREDF FEES:</b>				<b>\$688.00</b>	<b>\$667.36</b>
<b>TOTAL FEES FOR ARMSTRONG</b>					
<b>FEES WORK:</b>				<b>\$14,901.50</b>	<b>\$14,454.46</b>

**Armstrong v. Brown**

Second Quarterly Statement of 2019

April 1, 2019 through June 30, 2019

**Costs*****Matter: Fees Work in All Matters*****Rosen, Bien, Galvan & Grunfeld (581-2)**

Photocopying and Printing (in-house)

Postage &amp; Delivery

**Total RBGG Costs:****Costs**

\$125.40

\$80.03

**\$205.43****Costs Now Owing****Per Negotiated****Compromise**

\$121.64

\$77.63

**\$199.27****Disability Rights Education & Defense Fund, Inc.**

Photocopying (in-house)

**Total DREDF Costs:**

\$1.60

**\$1.60**

\$1.55

**\$1.55****TOTAL FEES WORK COSTS :****\$207.03****\$200.82**